



2009 Session

## **Exhibit 5**

**This exhibit is a booklet and it cannot be scanned therefore only the cover and table of context has been scanned to aid you in your research. The original exhibit is on file at the Montana Historical Society and may be viewed there.**

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## **In Support of HB 541:**

### **Safer, Smarter Law Enforcement Priorities... Better Results on Marijuana Usage AND Violent Crimes**

- Fact Sheet Outlining Reasons to Support HB 541.
- Five Charts: Montana Board of Crime Control Data Illustrating the Proportion of Reported Offenses Resulting in Arrests for the State's Top 6 Counties: Aggravated Assault, Forcible Rape, Motor Vehicle Theft, Misdemeanor Marijuana Possession, Misdemeanor Marijuana Paraphernalia Possession.
- List of Counties where Small-Quantity Marijuana Possession is the Most Frequent Arrest, 2<sup>nd</sup> Most Frequent, 3<sup>rd</sup> Most Frequent.
- Research Citations & Excerpts on the Results of Decriminalization Elsewhere: Reductions in Use & NO Evidence the Policy Causes Increases in Marijuana Use.

HB 541:

## **Safer, Smarter Law Enforcement Priorities... Better Results on Marijuana Usage AND Violent Crimes**

- **Decriminalization Elsewhere Has Led to Reduced Use of Marijuana:** Ironically, the stated goal of the current policy – reduction in use of marijuana – has been achieved elsewhere in locations where marijuana possession has been decriminalized. Studies of states where marijuana has been decriminalized have uniformly found slight reductions in use rates, and/or dramatically lower increases than in states with the strictest prohibition policies. Such findings in other countries, where marijuana has functionally been legalized, have been *more* dramatically positive.
- **Law Enforcement Priorities:** Every hour that a police officer spends arresting and processing minor marijuana offenders is time when he or she is *not* out on the streets protecting the public from violent crimes that affect lives, public safety and property. (Research documents that every 10 additional marijuana arrests allow 7 extra violent or property crimes to occur.)
- **Tax Dollar Spending Priorities:** With small-amount MJ possession arrests the most common arrest in 21 counties, and the 2<sup>nd</sup> most common in another 13, a huge amount of our spending at the state and local levels focuses on small-quantity marijuana rather than more important issues. These misplaced spending priorities adversely affect the workloads and performance of cops, prosecutors, public defenders, courts and judges.
- **Existing Criminalization Policy Has Failed to Achieve Positive Results:** Spending on the current policy has increased steadily – but marijuana use rates haven't changed a bit. The current policy has failed to achieve positive outcomes.
- **But Criminalization Does Cause Severe Harms:** The current policy has failed to reduce use of marijuana – but ironically has *succeeded* in creating harms greater than marijuana use itself: sanctions including jail, probation and mandatory drug testing; loss of employment; loss of child custody; removal from subsidized housing; asset forfeiture; loss of student aid and student loan eligibility; loss of adoption rights. These harms create numerous other social costs and spending needs that could be avoided.
- **Amazingly, Mere Arrest Ends Lifetime Gun Ownership Rights:** A letter from ATF just last week revokes *lifetime* gun ownership rights from a Montana man merely arrested for minor possession – with no trial nor conviction yet!
- **Public Supports a Policy Change:** There is fast-growing public agreement (90%) that the current “drug war” policies on marijuana possession have failed. Recent polls show 75% of Americans support decriminalizing marijuana possession. An unscientific poll conducted two weeks ago by the Helena *Independent Record* found that 54% of respondents support outright legalization of marijuana.

Data from  
Montana Board of Crime Control, 2006 & 2007

**Illustrating the Proportion of Reported Offenses  
Resulting in Arrests**

**Top 6 Counties:**

**Aggravated Assault**

**Forcible Rape**

**Motor Vehicle Theft**

**Misdemeanor Marijuana Possession**

**Misdemeanor Marijuana Paraphernalia Possession**